MVSEVM BRITANNICVM

Lord Chancellor. *Thursday*, the 9th of *October*, 1740.

Ordo Curiæ.

WHEREAS the several Persons who act as Messengers, under the Commissioners of Bankruptcy, in or near the city of *London*, did, in Obedience to my Directions, leave with Mr. *Webb*, my Secretary to the Commissions of Bankruptcy, a List of the Fees or Rewards taken by them under Commission of Bankruptcy, and of the Service, in respect whereof they demanded or took the same:

And whereas, by an Order made the Eighteenth Day of *October*, in the Year of our Lord One thousand Seven hundred and Thirty-nine, I referred the Consideration of the said List to *Roger Coningesbye*, *John Roberts*, and *John Way*, Esqrs; *James Mead*, and *Thomas Clendon*, Gentlemen, Five of the Commissioners of Bankruptcy, thereby directing them, or any Three of them, to inquire, Whether the said Messengers were intitled to receive and take the Fees or Rewards contained in the said List, or any, and which of them, or any other, and what Fees or Rewards; and in order thereto, the said Commissioners were to be at Liberty to summon before them the said Messengers, and such other proper Persons as they should think fit, and to examine them touching the Matters thereby to them referred, as they should see Occasion; and the said Commissioners were directed to certify the whole Matter as it should appear to them, with their Opinion thereon, to me, with all convenient Speed:

And whereas the said Commissioners, on the Nineteenth Day of *December* last, made their Report, or Certificate, to me, in pursuance of my said Order; which Report, or Certificate, was in the Words and Figures following:

TO THE RIGHT HONOURABLE

The Lord High Chancellor of Great Britain.

WE whose Names are here under-written, do humbly certify to your Lordship, That in Obedience to an Order made by your Lordship the Eighteenth Day of *October* last, we have been attended by the several Persons acting as Messengers, under the Commissioners of Bankruptcy, in or near the City of *London*, and have considered of the List of Fees claimed by the said Messengers in the said Order mentioned; and we are of Opinion, That the Persons acting as Messengers are intitled to receive and take the several Fees and Sums of Money particularly mentioned in the Schedule here under-

under-written, for their Attendance and Diſburſements, as Meſſengers to Commiſſioners of Bankruptcy, which we conceive to be reaſonable Fees and Diſburſements; and that they are not intitled to receive or take any other Fees than what are contained in the ſaid Schedule; all which we humbly certify and ſubmit to your Lordſhip's Judgment: Witneſs our Hands this Nineteenth Day of *December*, 1739.

Roger Coningeſbye.
John Roberts.
John Way.
James Mead.
Thomas Clendon.

The Liſt of Fees and Diſburſements referred to in the above Certificate.

	l.	*s.*	*d.*
FOR ſummoning and attending the Commiſſioners at the firſt Sitting - - - - - -	0	10	0
For ſummoning and attending the Commiſſioners at every ſubſequent Sitting - - - - - - -	0	6	8
For the Warrant of Seizure and Duty, and a Tin Box for the Commiſſion - - - - - - -	0	5	0

We apprehend the preparing the Warrant of Seizure to be the proper Buſineſs of the Clerk to the Commiſſion; but if it be done by the Meſſenger, we think what is charged for it, is reaſonable.

For the Summons for the Bankrupt to ſurrender, and a Duplicate thereof, and ſerving the ſame - -	0	5	0
For executing the Warrant of Seizure at one Place, in which is included the keeping Poſſeſſion the Day the Warrant is executed - - - - -	0	13	4
For keeping Poſſeſſion of the Bankrupt's Effects for each Day, after the Day of the Seizure, to the Day of the Choice of the Aſſignees incluſive; including what the Meſſenger pays the Man in Poſſeſſion - - - - - - - - - - -	0	5	0
For executing the Warrant of Seizure in any other Houſe or Place, beſides the Firſt, (including the keeping Poſſeſſion the firſt Day) for each Place	0	6	8
For keeping Poſſeſſion of the Bankrupt's Effects in every ſuch other Houſe or Place, beſides the Firſt, for each Day, after the Day of the Seizure, to the Day of the Choice of the Aſſignees, incluſive; including what he pays his Man - -	0	3	4

To

	l.	s.	d.
To Two Appraiſers for making an Inventory and Appraiſement of the Goods ſeized, for each Day they are neceſſarily employed in appraiſing the ſame, to each of them - - - - - - - - -	0	10	6
For a Warrant to ſummon Witneſſes, and attending the Commiſſioners to ſign the Warrant, writing the Summons for the Witneſſes, and ſerving the Witneſſes therewith - - - - - - -	0	6	8
For writing every Advertiſement for the *Gazette*, and attending the *Gazetteer* therewith - - -	0	2	6

We apprehend this to be the proper Buſineſs of the Clerk to the Commiſſioners; but if it be done by the Meſſenger, we apprehend it to be a reaſonable Charge.

Paid to the *Gazetteer* for each Advertiſement - -	0	11	0
Paid for a Room at *Guildhall*, for the Commiſſioners to meet in, and for Pens, Ink and Paper - -	0	3	0

If in the Execution of any of the Buſineſs above-mentioned, the Meſſengers are obliged to travel at any conſiderable Diſtance from London, *we apprehend, beſides the above Fees, they ought to be allowed their Horſe-hire, and other neceſſary Expences.*

Roger Coningeſbye.
John Roberts.
John Way.
James Mead.
Thomas Clendon.

And whereas, *Matthew Biggs*, *Francis Berry*, *William Cheſshyre*, *William Gibbons*, and *Richard Bradley*, Five of the Perſons who act as Meſſengers to the ſaid Commiſſioners of Bankruptcy, on the Twenty-ſeventh Day of *December* laſt, lodged the following Objections to ſeveral Parts of the ſaid Report, or Certificate, with my ſaid Secretary, (that is to ſay) *As to the ſecond Article of Six Shillings and Eight-pence, for ſummoning and attending the Commiſſioners at every ſubſequent Sitting:* They ſubmitted it to me, whether as ſummoning the Commiſſioners, and attending them, were ever known to be Two diſtinct and ſeparate Articles: And as it often happens, that ſummoning the Commiſſioners only, is attended with more than the Charge of Three Shillings and Four-pence, they were not intitled to take the ſaid Fee of Three Shillings and Four-pence for ſummoning the Commiſſioners, as well as the Fee of Six Shillings and Eight-pence for attending them; and that

that the ſaid Six Shillings and Eight-pence was ever deemed a moſt reaſonable Fee, beyond all Objection; and likewiſe the ſaid Fee of Three Shillings and Four-pence was deemed very reaſonable, for ſummoning the Commiſſioners only, by the late Lord Chancellor *King*. *As to the Eighth Article of Three Shillings and Four-pence, for keeping Poſſeſſion of the Bankrupt's Effects in every ſuch other Houſe or Place, beſides the Firſt, for each Day after the Day of the Seizure*, &c. *including the Two Shillings and Six-pence* per *Day, paid the Man in poſſeſſion*: They objected, that as it reduces the Meſſenger's Fee to Ten-pence, and the Truſt, Trouble and Charge the Meſſenger runs in keeping Poſſeſſion of every ſuch other Houſe, is equal with the Firſt, the ſame is a very ſmall Conſideration. *As to the Articles of writing the Advertiſement, and attending the* Gazetteer *therewith, and paying for the ſame, and alſo drawing the Warrant of Seizure, Stamps, and Tin Box*, (which Two Articles are apprehended by the ſaid Commiſſioners to be the proper Buſineſs of the Clerk to the Commiſſion; but if done by the Meſſenger, to be reaſonable Charges); they humbly hoped, that I would be pleaſed to ſtrike the ſame out of the ſaid Liſt of Fees, together with the Three Shillings paid for the Room at *Guildhall* and other Places, thoſe Three Articles only ſerving to ſwell the Meſſenger's Bill: Now, upon mature Conſideration of the ſaid Report, or Certificate, and the Meſſengers ſaid Objections taken thereto: I am of Opinion, and do therefore hereby Order, That the Commiſſioners of Bankruptcy, in or near the City of *London*, do not for the future allow to the Perſons who ſhall act as their Meſſengers, under any Commiſſion of Bankruptcy, or to any of them, any greater Sum or Reward, Sums or Rewards, for their Attendance and Diſburſements, as Meſſengers to the Commiſſioners of Bankruptcy, than what are for that Purpoſe mentioned in the ſaid Liſt annexed to the Commiſſioners ſaid Report or Certificate (except as in the Concluſion of the ſaid Report or Certificate is mentioned); and the Perſons who ſhall act as ſuch Meſſengers, are to take Notice of this Order, and in all Things to pay due Obedience thereto. And I do further Order, That my Secretary to the Commiſſions of Bankruptcy do forthwith prepare, ſet up, and affix in ſome public Place in his Office, a Copy of this Order, written in a fair and legible Hand, and to be renewed as often as the ſame ſhall become defaced or obliterated, and conſtantly hung up in the ſame Office, to the End that all Perſons concerned may be fully apprized thereof.

HARDWICKE, *C.*